

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

HAWAY TURAY, DEBORAH BROWN,
and WONDA THOMAS,

Plaintiffs,

v.

HARRIS COUNTY, TEXAS,

Defendant.

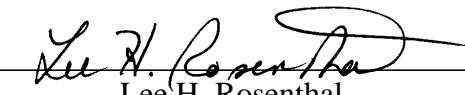
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CIVIL ACTION NO. H-09-193

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION AND GRANTING
MOTION FOR SUMMARY JUDGMENT**

This court has reviewed the Memorandum and Recommendation on the defendant's summary judgment motion issued by the United States Magistrate Judge on February 17, 2011, and made a *de novo* determination. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). Based on the pleadings, the record, and the applicable law, the court adopts the Memorandum and Recommendation as this court's Memorandum and Order. This court finds that the undisputed evidence in the record shows that the plaintiffs were not subject to racial discrimination under 42 U.S.C. § 1981 or § 1983 based on the fact that they were not identified or compensated as nurse supervisors while a non-African-American did receive such a designation. Accordingly, the defendant's motion for summary judgment is granted. An order of final judgment is separately entered.

SIGNED on March 7, 2011, at Houston, Texas.



Lee H. Rosenthal
United States District Judge